

FORM PTO-1390 (REV 5-93)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 108172-00069
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		DATE: May 16, 2001
		U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.5) not yet assigned 09/831373
INTERNATIONAL APPLICATION NO. PCT/US99/26019	INTERNATIONAL FILING DATE November 23, 1999	PRIORITY DATE CLAIMED November 23, 1998
TITLE OF INVENTION: GENETIC MARKERS WHICH IDENTIFY INDIVIDUALS WHO IMPROVE THEIR DIABETES STATUS WITH EXERCISE		
APPLICANT(S) FOR DO/EO/US: Alan SHULDINER; Robert E. FERRELL; James M. HAGBERG; and Michael D. BROWN		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. (THE BASIC FILING FEE IS ATTACHED)</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input checked="" type="checkbox"/> A proper demand for International Preliminary Amendment was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)] a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> A translation of the International Application into English [35 U.S.C. 371(c)(2)].</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)] a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].</p>		
Items 11 - 16 below concern other document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information: Response to Written Opinion; Written Opinion; Form PCT/IB/308; Form PCT/IPEA/402; Demand for International Preliminary Examination under PCT Article 31; Demand; Form PCT/IB/306; copy of published International Application No. PCT/US99/26019 CHECK NO.</p>		

U.S. APPN NO. (IF KNOWN) SEE 37 C.F.R. 1.801 (not yet assigned) 09/831373		INTERNATIONAL APPLICATION NO. PCT/US99/26019		ATTORNEY DOCKET NO. 108172-00069
				DATE: May 16, 2001
<p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>Basic National Fee [37 C.F.R. 1.492(a)(1)-(5)]:</p> <p>Search Report has been prepared by the EPO or JPO.....\$860.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482).....\$690.00 No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international search fee paid to USPTO [37 C.F.R. 1.445(a)(2)].....\$710.00 Neither international preliminary examination fee (37 C.F.R. 1.482) or international search fee [37 C.F.R. 1.445(a)(2)] paid to USPTO.....\$1,000.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$ 100.00</p>		CALCULATIONS		PTO USE ONLY
<p>ENTER APPROPRIATE BASIC FEE AMOUNT =</p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].</p>		\$ 690.00		
<p>Claims</p> <p>Total Claims</p> <p>Independent Claims</p> <p>Multiple dependent claim(s) (if applicable)</p>		Number Filed	Number Extra	Rate
		7 - 20 =	0	X \$ 18.00
		7 - 3 =	4	X \$ 80.00
				+\$ 270.00
<p>TOTAL OF ABOVE CALCULATIONS =</p> <p>Reduction by one-half for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28).</p>		\$ 1010.00		
<p>SUBTOTAL =</p> <p>Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)].</p>		\$		
<p>TOTAL NATIONAL FEE =</p> <p>Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property</p>		\$ 1010.00		
<p>TOTAL FEES ENCLOSED =</p>		\$ 1010.00		
		Amount to be refunded		\$
		Charged		\$
<p>a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 01-2300 in the amount of \$1010.00 to cover the above fee. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2300.</p>				
<p>NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.</p>				
<p>SEND ALL CORRESPONDENCE TO: Arent Fox Kintner Plotkin & Kahn 1050 Connecticut Avenue, N.W. Suite 600 Washington, D.C. 20036-5339 Tel: (202) 857-6000 Fax: (202) 638-4810</p>				
 <p>Richard J. Bernstein Reg. No. 39,107</p>				

patent application serial no.

*Department of Commerce
Patent and Trademark Office
fee record*

05/17/2001 UEDUVIJE 00000162 012300 09831373

01 FC:956 690.00 CH
02 FC:964 320.00 CH